



October 17, 2019

Ex Parte

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street SW
Washington, DC 20554

Re: Auction of Priority Access Licenses for the 3550-3650 MHz Band, AU Docket No. 19-244

Dear Ms. Dortch:

On October 15, 2019 Michael Calabrese, representing the Open Technology Institute at New America (OTI), met with Umair Javed, Wireless Legal Advisor to Commissioner Jessica Rosenworcel, with reference to the above-listed proceeding.

I began by asking whether Commissioner Rosenworcel had received any explanation concerning the rationale for Cellular Market Area (CMA) bidding in Auction 105. We discussed the possible pros and cons of the CMA bidding rules proposed in the *Public Notice* and *Technical Guide*.

I expressed OTI's concern that the CMA bidding process, as described, would have the effect of driving the price of rural and other less densely populated counties in the 172 CMAs up above the level they would reach if auctioned individually by county. By effectively forcing the large mobile carriers interested in acquiring PALs in all or most counties to maintain their bid in every county in order to acquire the most highly-valued urban county, the Commission is choosing to exclude small operators (such as WISPs) and other market entrants.

The proposed CMA rules appear to be a duplicitous reversal of the hard-fought compromise that the Commission adopted in last year's Order, which agreed on counties as striking the right balance. Since the national and regional mobile carriers have the wherewithal to outbid small operators on a county-by-county basis, there is no justification for the Commission to further rig the auction in their favor.

Respectfully submitted,

/s/ Michael Calabrese
Director, Wireless Future Project
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cc: Umair Javed